

ULSTER TOWN BOARD MEETING

December 20, 2012 AT 7:00 PM

CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7 PM

SALUTE TO THE FLAG

A Moment of Silence was observed for the tragic loss of life at Sandy Hook Elementary School in Newtown, CT.

ROLL CALL BY CLERK

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILWOMAN CRIS HENDRICK

TOWN COUNCILMAN JOHN MORROW

SUPERVISOR JAMES QUIGLEY 3rd

Appointment of Trevor Barringer as Lieutenant

Supervisor Quigley reported that Trevor Barringer was appointed as a Police Lieutenant at an earlier Police Commission meeting.

Town Justice Susan Kesick swore Trevor Barringer in as Lieutenant.

Resolution appointing Eric Kitchen as Deputy Supervisor

BE IT RESOLVED, that the position of Town of Ulster Deputy Supervisor is an appointed position serving for a one year term at the pleasure of the Supervisor of the Town of Ulster, and

THEREFORE BE IT RESOLVED, that Eric Kitchen is hereby appointed Deputy Supervisor for the Town of Ulster, effective immediately

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

Town Councilman Brink - Aye

Town Councilman Kitchen - Aye

Town Councilwoman Hendrick - Aye

Town Councilman Morrow - Aye

Supervisor Quigley - Aye

CARRIED

Town Justice Susan Kesick swore Eric Kitchen in as Deputy Supervisor

PUBLIC COMMENTS

There was no public comment.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

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Councilman Morrow motioned to accept the minutes of the November 1, 2012 and November 15, 2012 meeting.

2nd by Councilwoman Hendrick

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

COMMUNICATIONS

There were no communications.

ABSTRACT OF CLAIMS

Councilwoman Hendrick motioned to approve the December 2012 abstract as submitted.

2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

BUDGET MODIFICATIONS

General Fund:

Modify Revenue A3989 (St.Aid,Child Seat Grant) and Appropriation A3120.440 (Child Seat Grant) July-Sept. Grant reimb.	218.00
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Modify Revenue A2680 (Insur.Recoveries) and Appropriation A3120.421 (Veh. Maint.) check from Hanover Insurance Co. -Loss date 11/17/12, insured Kent Katz-hit police vehicle in town parking lot	1,330.80
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Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Biddy Basketball) t-shirts from Hat World	1,224.00
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Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Football League) trophies for banquet from Deuire's Trophies	379.75
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Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Football League) banquet dinners from Phil Gisiano	840.00
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Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Softball League) trophies from Deuire's Trophies	80.00
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Modify Appropriation A7140.401)Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Biddy Basketball) Nov. 27 & Dec. 4th refereeing for Paul Remick	98.00
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Modify Appropriation A7140.401)Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Biddy Basketball) Dec. 2012 refereeing-Simpson Brown	450.00
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Modify Appropriation A7140.401 (Rec.Equip.Rsrv) to be funded through A5110 (Approp.Rsrv-Softball League) electric-Orlando St. Ballfield	90.75
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Modify Revenue A2680 (Insur.Recoveries) and Appropriation A3120.421 (Veh. Maint.) insur.reimb. For cracked windshield from U.S. Speciality Insur. Co. for police vehicle	372.89
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Modify Revenue A2680 (Insur.Recoveries) and Appropriation A3120.421 (Veh. Maint.) check from Hanover Insurance Co.-Loss date 11/17/12, insured Kent Katz-hit police vehicle in town parking lot	185.00
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General Fund:

Modify Appropriation A6140.400 (Home Relief) to be funded through A5990 (Approp.Fund Bal.) for Home Relief expenses	132,066.00
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General Fund:

Transfer From	Transfer To	
A1110.400 Court Steno.	A1110.410 Computer Tech.	1,598.00
A1220.103 P/T Payroll Clerk	A1220.101 Sec. Salary	5,000.00
A1220.404 Payroll/Acct.Servs.	A1220.200 Off. Equip.	1,500.00
A1220.404 Payroll/Acct.Servs.	A1220.410 Computer Tech.	7,100.00
A1320.400 Computer & Suppls.	A3120.200 Computer Equip.	87.00
A1355.418 Legal Servs.	A1355.100 Assessor Salary	6,000.00
A1355.418 Legal Servs.	A1355.200 Equipment	1,500.00
A1355.418 Legal Servs.	A1355.405 Mileage & Expns.	250.00
A1990.400 Contingency	A1440.400 Engineering	1,800.00
A1620.406 Telephone	A1620.100 Custodian Wage	4,200.00
A1620.454 Maint.	A1621.409 Rep. & Suppls.	1,200.00
A1620.454 Maint.	A1621.409 Rep. & Suppls.	50.00
A3120.104 P/T Police Wages	A3120.101 OT Wages	19,000.00
A3510.436 Harboring,Euthanasia	A3620.403 Off. Suppls.	600.00
A3510.436 Harboring,Euthanasia	A3620.404 Off.Equip.Maint.	600.00
A3510.436 Harboring,Euthanasia	A3620.420 Gas & Oil	2,000.00
A5132.407 Electric	A5132.409 Rep. & Suppls.	4,000.00

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A5132.408	Heat	A5132.454	Maint.	6,000.00
A7110.102	Park/Grnds.Wages	A7110.101	Park Attendants	5,316.00
A7110.407	Electric	A7110.420	Gas & Oil	900.00
A7140.200	Equipment	A7110.426	Reps.,Constr.	5,000.00
A8160.401	Dumping Costs	A8160.100	Recycling Wages	8,000.00
A9060.800	Hosp.&Dntl. Insur.	A9060.802	Retire.Hosp,Dntl	13,874.00

Highway Fund:

Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Oper.Funds)	10,613.88
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Oct.Gas Reimb. (East Kng. Vol. Fire Co.)	581.57
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Ulster Hose #5)	162.40
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Ulster Hose #5)	256.72
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Nov. Gas Reimb. (Ruby Fire Dist.)	144.45
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Gas Reimb. (Sawkill Fire Dist.)	512.71
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Modify Revenue D1289(Oth.Dept.Income) and Appropriation D5142.420 (Gas & Oil) Oct. Gas Reimb. (Town of Kingston Hwy. Fund)	765.18
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Modify Appropriation D9080.800 & D9080.804 (Employee Benefit Liability) to be funded through D5990 (Approp.Fund Bal.) to fund reserve from excess fund balance - \$5,000.00 each appropriation	10,000.00
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Highway Fund:

Transfer From	Transfer To	
D9030.804 Soc.Sec.	D9030.800 Soc.Sec.	37,000.00
D9060.806 Retire.Hosp.&Dental	D9060.802	31,332.00
Retire.Hosp.&Dental		
D9060.806 Retire.Hosp.&Dental	D9070.804 Medicare Reimb.	16,719.00

Capital Project:

Transfer From	Transfer To	
HGT.8310.401 Admin.	HGT.8310.200 Constr.	1,917.37

Ulster Water:

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Modify Appropriation SW1.9080.800 (Employee Benefit Liability) to be funded through SW1.5990 (Approp.Fund Bal.) to fund reserve from excess fund balance 10,000.00

Ulster Water:

Transfer From	Transfer To	
SW1.1910.400 Unalloc.Insur.	SW1.8310.101 O.T. Wages	5,000.00
SW1.1910.400 Unalloc.Insur.	SW1.8310.406 Telephone	400.00
SW1.8320.455 Water Cost	SW1.8320.454 Maint.	10,000.00
SW1.8320.455 Water Cost	SW1.8330.430 Uniforms	1,000.00
SW1.8320.455 Water Cost	SW1.8330.451 Chemicals	600.00

Cherry Hill Water:

Transfer From	Transfer To	
SW5-9010.800 Retirement	SW5-9030.800 Soc. Sec.	132.00
SW5-1910.400 Unalloc.Insur.	SW5-9710.700 Bond I	523.00

East Kingston Water:

Transfer From	Transfer To	
SW7-8320.455 Water Costs	SW7-8320.454 Maint.	200.00

Whittier Sewer:

Transfer From	Transfer To	
SS1.9010.800 Retirement	SS1-9030.800 Soc. Sec.	132.00

Ulster Sewer:

Modify Appropriation SS2.9080.800 (Employee Benefit Liability) to be funded through SS2.5990 (Approp.Fund Bal.) to fund reserve from excess fund balance 10,000.00

Ulster Sewer:

Transfer From	Transfer To	
SS2.1420.400 Legal Servs.	SS2.1380.400 Admin. Fees	818.00
SS2.8110.100 Wages	SS2.8110.403 Off.Suppl.	5,000.00
SS2.9060.800 Hosp.&Dntl.	SS2.9060.802 Hosp.&Dntl	12,600.00

Wash. Avenue Sewer:

Transfer From	Transfer To	
SS3-9010.800 Retirement	SS3-9030.800 Soc. Sec.	132.00
SS3-9010.800 Retirement	SS3-9710.700 Bond Int.	0.01
SS3.1910.400 Unalloc. Insur.	SS3-8130.455 Sewer Rents	671.00

MOTION: Councilwoman Hendrick

SECOND: Councilman Morrow

Town Councilman Brink - Aye

Town Councilman Kitchen - Aye

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Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of one seasonal employee for the Water Department for a three week period

Councilman Morrow moved to hire Adam Rua as a full-time seasonal laborer for three weeks, effective January 2, 2013, at a rate of \$10.00 an hour
2nd by Councilwoman Hendrick

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Motion to approve the hiring of Police Officer Manner with temporary status for 90 days to replace Officer Eggering

Councilman Morrow moved to hire Joseph J. Manner as a temporary full-time police officer for 90 days effective January 1, 2013 at a rate of \$18.63 an hour pending his physical and medical exams.
2nd by Councilwoman Hendrick

Town Councilman Brink - Aye
Town Councilman Kitchen - Aye
Town Councilwoman Hendrick - Aye
Town Councilman Morrow - Aye
Supervisor Quigley - Aye

CARRIED

Resolution granting Quick Chek – Washington Avenue Site Plan Approval

Site Plan Approval

Quick Chek – Washington Avenue

Section-Block-Lot: S-B-L: 48.14-1-18, 48.14-3-35 & 37.2

WHEREAS, the Town of Ulster Planning Board granted Lot Line Adjustment approval to *QuickChek Corporation*, which combined S-B-L: 48.14-3-35 & 37.2 and apportioned the

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13,066 square foot *vacated* Old Sawkill Road right-of-way to adjoining S-B-L: 48.14-3-37.2 & 48.14-1-18; and

WHEREAS, the Proposed Action before the Town Board involves *Site Plan* approval to demolish an existing 2-story block building, frame sheds, canopy with four (4) fuel dispensers and then *construct* a 6,584 square-foot Quick Chek Food Store with fueling canopy to host twelve (12) multi-product fuel dispensers; and

WHEREAS, pursuant to Section 145-2 (A) (2) of the Town Code, the *Site Plan* is subject to the approval of the Town of Ulster *Town Board*; and

WHEREAS, the subject site is situated in the HC-Highway Commercial Zoning District where the proposed Quick Chek Food Store is permitted by right subject to Site Plan Review; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Site Plan Application* prepared by Chazen Engineering & Surveying, P.C, dated 9/12/11;
- *Cover Sheet* prepared by Bohler Engineering dated August 17, 2012;
- *Application for Sketch Plan Review* prepared by Bohler Engineering dated August 17, 2012;
- *Site Plan Consent Forms for lots 35 and 37.5* prepared by Bohler Engineering dated 8/17/12;
- *Full EAF Part 1 and Supplemental (Floodplain)* prepared by Bohler Engineering dated 8/16/12;
- *Aerial Exhibit* showing proximity to municipal boundaries by Bohler Engineering dated 8/16/12;
- *Metes and Bounds Description* prepared by Control Point Associates, Inc. dated April 16, 2007;
- *Land Title Survey* prepared by Control Point Associates, Inc. dated 8/25/05, revised 7-3-12;
- *Site Plan (Color)* prepared by Bohler Engineering dated August 16, 2012;
- *Site Plan (B&W)* prepared by Bohler Engineering dated August 16, 2012;
- *Proposed Floor Plan* prepared by gk+a Architects, PC, dated August 16, 2012;
- *Proposed Building Elevations* prepared by gk+a Architects, PC, dated August 16, 2012;
- *Rendered Elevations* prepared by gk+a Architects, PC, dated August 16, 2012; and
- *Tax, Aerial, Road, USGS, NYSDEC Wetlands, Streams, FEMA Flood and Rare Plants Maps.*
- *Cover Letter* prepared by Tung-To-Lam of Bohler Engineering dated November 19, 2012;
- *Traffic Impact Study* by Stonefield Engineering & Design revised October 23, 2012;
- *Stormwater Management Report* prepared by Bohler Engineering revised November 19, 2012;
- *Cover Sheet* prepared by Bohler Engineering revised September 13, 2012; revised 11/19/12;
- *Demolition Plan* prepared by Bohler Engineering revised September 13, 2012 and 11/19/12;
- *Overall Site Plan* by Bohler Engineering revised 8/23/12, revised 9/13/12 & November 19, 2012;
- *Site Plan* prepared by Bohler Engineering revised 8/23/12, revised 9/13/12 & November 19, 2012;
- *Grading Plan* prepared by Bohler Engineering revised 8/23/12, revised 9/13/12 & 11/19/12;
- *Drainage & Utilities Plan* by Bohler Engineering 8/23/12, revised 9/13/12 & November 19, 2012;
- *Security Cameras Location Plan* prepared by Bohler Engineering dated November 19, 2012;
- *Landscape Plan* by Bohler Engineering revised 8/23/12, revised 9/13/12 & November 19, 2012;
- *Lighting Plan* prepared by Bohler Engineering revised 8/23/12, revised 9/13/12 & 11/19/12;
- *Soil Erosion & Sediment Control* by Bohler Engineering revised 8/23/12, 9/13/12 & 11/19/12;
- *Detail Sheets (A-I)* by Bohler Engineering revised 8/23/12, revised 9/13/12 & November 19, 2012;
- *Cut Fill Analysis Exhibit* prepared by Bohler Engineering dated November 19, 2012;
- *Sawkill Road 45 MPH Sight Line Profile Exhibit* by Bohler Engineering dated 11/19/12;

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- *Sight Distance Profile Exhibit* prepared by Bohler Engineering; dated 11/19/12;
- *Truck Turning Exhibit* prepared by Bohler Engineering; dated 11/19/12;
- *Land Title Survey* prepared by Control Point Associates, Inc. dated 8/25/05, revised 9/12/2012;
- *Alta/ASCM Land Title Survey (By Others)* dated 11/19/12; and
- *Lot Line Adjustment Plan* by Control Point Associates, Inc. dated 8/25/05, revised 11/20/2012.
- *Cover Letter* prepared by Tung-To-Lam of Bohler Engineering dated December 17, 2012;
- *Site Plan* prepared by Bohler Engineering revised 8/23/12, 9/13/12, 11/19/12 and 12/10/2012; and
- *Detail Sheets* prepared by Bohler Engineering revised 8/16/12, 9/13/12, 11/19/12 and 12/10/12.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and written comments from the UCPB were provided on October 3, 2012; and

WHEREAS, the Town of Ulster Town Board agrees with the UCPB Required Modifications to require both NYSDOT and Ulster County DPW approval of access, which will be a condition of approval; and

WHEREAS, the Town of Ulster Town Board finds the UCPB Required Modifications to include traffic analysis and queuing data for the left-hand turn movement from Sawkill Road into the site was provided in the revised Traffic Impact Study and the requirements for a sidewalk Memorandum of Understanding (MOU) should also be a condition of Site Plan Approval; an

WHEREAS, upon review of the UCPB Required Modifications, the Town of Ulster Town Board concludes it will *override the required modification to require the use of architectural elements and materials consistent with a gateway location and which include stonework, window treatments and other architectural treatments as provided in the 2007 submission*; and

WHEREAS, the Town of Ulster Planning Board – as Lead Agency – determined the Proposed Action would not pose any potentially significant environmental impacts based upon detailed studies provided and the mitigation measures being employed in the design of the proposed development and technical revisions to these detailed studies; and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board for Site Plan approval after making a SEQR Determination of Non-Significance (Negative Declaration) on November 20, 2012; and

WHEREAS, the Town of Ulster Town Board hereby reaffirms the SEQR findings (i.e. Negative Declaration) of the Town of Ulster Planning Board and has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

NOW THEREFORE BE IT RESOLVED the Town of Ulster Town Board herby overrides the UCPB required modification to require the use of architectural elements and materials consistent with a gateway location and which include stonework, window treatments and other architectural treatments as provided in the 2007 submission; and

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FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Site Plan Approval to *QuickChek Corporation* to demolish an existing 2-story block building, frame sheds, canopy with four (4) fuel dispensers and then *construct* a 6,584 square-foot Quick Chek Food Store with fueling canopy to host twelve (12) multi-product fuel dispensers on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Approval of the Traffic Impact Analysis by Town Transportation Engineer (CME);
3. NYSDOT approval of the access to and from Washington Avenue and Ulster County DPW approval of the Sawkill Road driveway;
4. Possible permissive referendum regarding Town Board resolution conveying the abandoned Old Sawkill Road right-of-way to adjoining landowners;
5. Applicant shall enter into a sidewalk Memorandum of Understanding (MOU) with the Town of Ulster Town Board; and
6. All fees, including consultant fees, shall be paid.

MOTION: Councilwoman Hendrick

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion authorizing the Town of Ulster Town Board to be Lead Agency as per SEQR for Kenco

Councilman Brink moved that the Town of Ulster Town Board serve as the Lead Agency for SEQR process for Kenco (1000 Hurley Mountain Rd. – SBL – 48.13-2-2)

2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Adopting Local Law No. of 2012: A Local Law Providing for the Adoption of a New Chapter 54 of the Town Code [Fire Alarms & Burglar Alarms]

A Resolution Approving A Local Law Providing for the Adoption of a New Chapter 54 of the Town Code.

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Ulster for a public hearing to be held by said Governing Body on September 20, 2012 at the Town of Ulster Town Hall at 7:15 p.m. to hear all interested parties on a proposed Local Law entitled "A local law providing for the adoption of a new Chapter 54 of the Town Code", and

WHEREAS, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Town, and

WHEREAS, said public hearing was duly held on September 20, 2012 at the Town of Ulster Town Hall at 7:15 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Ulster that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and

WHEREAS, the Town Board of the Town of Ulster, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 7 of 2012 entitled **A local law providing for the adoption of a new Chapter 54 of the Town Code**, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk of the Town of Ulster be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

CHAPTER 54. BURGLAR ALARMS AND FIRE ALARMS

§ 54-1. Title

This chapter shall be known as the "Burglar Alarm and Fire Alarm Local Law of the Town of Ulster."

§ 54-2. Administrative officials

The Town of Ulster Building Department shall administer this chapter.

ARTICLE I - BURGLAR ALARMS

54-3. Legislative Intent and Purpose

The Town of Ulster Police Department, the Town of Ulster Building Department, and volunteer fire companies throughout the Town of Ulster have recorded many false burglar, hold-up, or emergency alarms emanating from automated devices. These signals require that police and other emergency services respond to the false alarm, exposing them to unnecessary hazards and risks, wasting taxpayer funds and depriving other citizens of needed emergency service. This law is intended to regulate alarm systems, thereby reducing the number of false alarms and saving taxpayer funds and protecting other citizens.

§ 54-4. Definitions

The following definitions pertain to this article.

ALARM SYSTEM - Any device which when activated, calls for a police or fire response and (1) transmits a signal to police or fire headquarters, (2) transmits a signal to a person who relays information to police or the fire department or (3) produces an audible or visible signal to which the police or fire department are expected to respond. Excluded from this definition and the scope of this article are devices which are designated to alert or signal only persons within the premises in which the device is installed and devices which are activated by the release of water from a sprinkler system.

BUILDING INSPECTOR – The Building Inspector of the Town of Ulster, or his designee.

FIRE INSPECTOR – The Fire Inspector of the Town of Ulster, or his designee.

PERSON - A natural person, firm, partnership, association or corporation or representative or agent of said entities who is the owner or lessee of an alarm system.

POLICE CHIEF - The Chief of the Police Department of the Town of Ulster, or his designee.

POLICE DEPARTMENT OR POLICE - The Police Department of the Town of Ulster

TOWN - The Town of Ulster.

§ 54-5. Permit Required

No person in the Town of Ulster shall operate, maintain or install an alarm system without first obtaining a permit under this local law. Excluded from the provisions of this local law are any alarm systems installed in a motor vehicle or vessel or any device designed to alert the occupants of a building of an emergency condition therein and which does not transmit, directly or

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indirectly, a signal to police headquarters or to a private central alarm station or produce any audible or visual or telephone signal to which the Police Department, Fire Department and or Ambulance/Medical service is expected to respond.

§ 54-6. Application for Permit

A. An application for a permit under this law shall be filed with the Town of Ulster Building Department on forms supplied by the Town, together with an application fee of One Hundred (\$100.00) dollars made payable to the Town Clerk. Said application shall set forth the following:

- (1) Name, address and telephone number of both the installer of the system and the person or business on whose premises the system will be operated, maintained, monitored or installed.
- (2) The location of and where on the premises the alarm system is proposed to be installed or has already been installed, prior to the effective date of this law, including postal or street address and directions from main road.
- (3) The type of emergency the alarm system is designed to detect.
- (4) The name, address and telephone number of at least two (2) persons who can be updated no less than yearly or when a key holder is changed.
- (5) The applicant shall agree that if the person to be notified either refuses to come to the premises upon request of the Town Police Department or a local fire department or cannot be reached within a reasonable time by telephone or otherwise, the Town Police Department or a local fire department may, without any liability for any charges as a result of disconnection, or any liability as a result of responding to alarms, do the following: contact a licensed installer to disconnect the system.

B. The Town of Ulster Building Department shall approve such application if it finds that:

- (1) The use of the alarm system to transmit a signal, message or warning to the Town Police Department will not interfere with the orderly transaction of Town business.
- (2) The installer of the system maintains an adequate service organization to repair, maintain or otherwise service alarm systems sold or leased by him.
- (3) The alarm system meets the following minimum requirements:
 - (a) The alarm system shall be equipped with an automatic audible signal cut-off device so that the maximum time any alarm shall cause an externally audible signal to be emanated does not exceed

fifteen (15) minutes per activation.

- (b) The commercial fire alarm system shall be equipped with a standby power source sufficient to maintain the system in a state of readiness for at least twenty-four (24) hours in the event of a power failure, or comply with NFPA 72 standards, whichever is the longer time period.
- C. The Town of Ulster Building Department may impose such other and further reasonable conditions on the granting of said permit as he may deem necessary or proper in carrying out the provisions, legislative intent and purpose of this local law. The Town of Ulster Building Department shall coordinate with the Town of Ulster Police Department in reviewing burglar alarm applications on a regular basis.
- D. Permits shall not be transferable from one premise to another or from one applicant to another.

§ 54-7 Denial, Suspension, or Revocation of Permit

- A. The Town of Ulster Building Department may suspend or revoke an alarm permit where six (6) false or nuisance alarms have occurred within a one year period and/or where an applicant does not reasonably comply with any provision of this local law.
- B. Any applicant whose application for a permit has been denied, and any person whose permit has been suspended or revoked, may appeal such denial, suspension or revocation in writing to the Town Board of the Town of Ulster within thirty (30) days after such denial, suspension or revocation and may appear before such Town Board in at a time and place to be determined by the Town Board in support of his or its contention that the permit should not have been denied, suspended or revoked. The decision of the Town Board shall be final.
- C. Any reactivation of a revoked or suspended alarm permit will be subject to an administrative fee due to the Town of Ulster in the amount of \$100.00.

§ 54-8. Existing Systems

All persons operating, maintaining or monitoring a presently existing alarm system must comply with all provisions of this local law within ninety (90) days after the effective date of this local law. Upon the expiration of this period, said persons shall be in violation of this local law and subject to disconnection and other penalties under this local law. If a person operating, maintaining or monitoring an alarm system on or before the effective date of this local law applies for a permit pursuant to Section 54-6 within ninety (90) days of the effective date then there shall be no application fee due. If a person operating or maintaining an alarm system on or before the effective date applies for a permit after ninety (90) days from the effective date, he or she shall be subject to the application fee.

§54-9. Change of Location

If the location of Police Headquarters should be changed at any time, the Town shall not be responsible for any expense incurred by the owner or lessee or business licensee or alarm agent for moving alarm systems or re-connecting such systems to the relocated Police Headquarters.

ARTICLE II - FIRE ALARMS

§ 54-10. Definitions

Refer to National Fire Alarm Code (NFPA 72) Chapters 1-8.

§ 54-12. General Provisions

- A. All fire alarm system installations, modifications, maintenance and/or testing shall comply with the New York State Uniform Fire Prevention and Building Code, most current edition.
- B. All fire alarm systems shall be installed to the edition of the National Fire Alarm Code (NFPA 72) that is in effect.
- C. All commercial fire alarm system work shall be done by a licensed New York State fire alarm company.
- D. All companies shall submit, in writing, to the Town of Ulster Building Department, all proposals, including the scope of the work to be performed and all equipment to be used for review and approval before any work is started. Upon completion of said work the company shall demonstrate and test the system with a representative of the Town of Ulster Building Department present for final approval.
- E. All fire controls and peripheral devices shall be of applicable grade and quality in accordance with UL/864 requirements. All initiating devices shall be zoned to a remote annunciator panel for viewing by the occupants and the applicable local fire company. The alarm panel, and an as-built construction document box, shall be easily accessible to the applicable local fire company.
- F. All fire suppression and/or sprinkler systems shall report to the new fire controls on separate points. All smoke, heat-detecting and pull stations shall report to central station on separate points. All sprinkler systems shall be monitored by the UL Central Station. All commercial fire alarm systems shall be UL listed, and shall be issued a certificate or other document issued by an organization which has listed the alarm service company that is maintaining the system. This document shall be filed with the Town of Ulster Building Department and shall be renewed annually.

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- G. Upon final approval, the company shall prepare and submit a written record of completion as per the National Fire Alarm Code, along with all documents required by Section 907 of the New York State Building Code.
- H. Every system shall have a minimum of one interior and one exterior ADA approved horn/strobe alerting device and installed per NFPA 72.
- I. All fire alarm systems shall report to a central station that has been listed or approved by an organization through an initial qualifying evaluation and conducts systematic follow-up examinations. The central station must be located in New York State.
- J. All fire alarm companies shall supply proof of a twenty-four-hour emergency service department capable of responding to a trouble or alarm within one hour of the reported condition.
- K. All fire alarm companies shall maintain a current listing of the building owner, tenant and point of contact. This list shall include the names and phone numbers of key holders who are capable of responding on a seven-day, twenty-four-hour emergency notification. This list shall be updated at least annually and submitted in duplicate for the Town Clerk and the Town of Ulster Building Department.
- L. All fire alarm activations shall be treated as an actual alarm, which shall require the central station to immediately notify the applicable local fire company.
- M. All fire alarm systems shall be registered with Town Clerk and the Town of Ulster Building Department. All commercial building owners having fire alarm systems shall also install a Knox Box secure key entry system. The applicable local fire company shall have the only keys to this system. The owner shall be responsible for updating the correct keys for storage.
- N. Each fire alarm system shall have annual test and maintenance certificate by a New York State licensed fire alarm company. Said certificate shall be filed annually with the Town of Ulster Building Department by the building owner.

§ 54-12. Registration of Fire Alarm Systems

- (A) A one-time Registration shall be required for Fire Alarm Systems and whenever a Record of Completion is prepared, in accordance with NFPA 72.
- (B) The Owner shall be required to re-register whenever there is a change in the Fire Alarm Business responsible for maintaining, servicing, and/or monitoring the Fire Alarm System.
- (C) Registrations shall not be transferable from one Premises to another or from one Owner to another.

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- (D) Every Fire Alarm Business shall notify the Enforcement Official of the existence of a Fire Alarm System prior to the Fire Alarm System being put into operation. It shall be the responsibility of the installing Fire Alarm Business to provide the Owner with notice of the existence of this ordinance, a Registration form and a copy of the Fire Alarm System operation instructions in accordance with NFPA 72, and the manufacturer's instructions.
- (E) The Registration form shall include the following information:
 - (1) The name(s), address of the Premises, mailing address (if different from the address of the Premises), business and home telephone number of the Owner, lessee, operator, manager or person in possession of the Premises wherein the Fire Alarm System is installed.
 - (2) The name, address and telephone number of a minimum of two (2) persons who can be notified by the Town of Ulster Building Department, in the event of the activation of the Fire Alarm System, who shall be capable of responding to the Premises within one (1) hour, and who are authorized to enter the Premises to ascertain the status thereof.
 - (3) The name, address and telephone number of the Fire Alarm Business which has contracted to service the Fire Alarm System and proof of proper state licensing/registration with the Town of Ulster Building Department, if required. Proof of proper state licensing may be a valid state licensing number.
 - (4) The date the Registration is signed or the Fire Alarm System is placed in operation for any reason.
 - (5) Any other documentation that is required by NFPA 72 and Section 907 of the State Fire Code.
- (F) When any of the information required in Section 54-13(E) has changed, it shall be reported to the Town of Ulster Building Department by the Owner within fifteen (15) days of the Owner becoming aware of such change;
- (G) The Owner shall complete and deliver the Fire Alarm System Registration in the required format to the Town of Ulster Building Department before the Fire Alarm System is activated or placed into service. The Fire Alarm Business, when authorized by the Owner, may assist the Owner in accomplishing this submission of the Fire Alarm Registration to the Town of Ulster Building Department.

§ 54-13. System Certification

All newly installed or re-certified commercial Fire Alarm Systems shall be approved by the Town of Ulster Building Department. The certification shall indicate that the Fire Alarm System

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is in compliance with NFPA 72.

§ 54-14. Inspection, Testing and Maintenance

- (A) The Owner shall ensure that all Fire Alarm Systems are inspected and tested at least once per year in accordance with NFPA 72 by a qualified inspector and shall file an inspection report with the Town of Ulster Building Department.
- (B) The Owner shall ensure that all Fire Alarm Systems are periodically maintained per manufacturer specifications and recommendations and NFPA 72.

§ 54-15 Denial, Suspension, or Revocation of Permit

- A. The Town of Ulster Building Department may suspend or revoke a Registration for a Fire Alarm System where an undue number of false alarms have occurred and/or where an applicant does not reasonably comply with any provision of this local law.
- B. Any applicant whose Registration has been denied, and any person whose Registration has been suspended or revoked, may appeal such denial, suspension or revocation in writing to the Town Board of the Town of Ulster within thirty (30) days after such denial, suspension or revocation and may appear before such Town Board in at a time and place to be determined by the Town Board in support of his or its contention that the permit should not have been denied, suspended or revoked. The decision of the Town Board shall be final.
- C. Any reactivation of a revoked or suspended Registration will be subject to an administrative fee due to the Town of Ulster in the amount of \$100.00.

§ 54-16. Existing Systems

All persons operating, maintaining or monitoring a presently existing Fire Alarm System must comply with all provisions of this local law within ninety (90) days after the effective date of this local law. Upon the expiration of this period, said persons shall be in violation of this local law and subject to disconnection and other penalties under this local law. If a person operating, maintaining or monitoring a Fire Alarm System on or before the effective date of this local law applies for a permit pursuant to Section 54-13 within ninety (90) days of the effective date then there shall be no application fee due. If a person operating or maintaining an alarm system on or before the effective date applies for a permit after ninety (90) days from the effective date, he or she shall be subject to the application fee.

ARTICLE III - ENFORCEMENT

§ 54-17. Enforcement procedure

- A. This article shall apply to both burglar alarms and fire alarms. After responding to a

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burglar alarm or a fire alarm that is determined to be a false alarm or nuisance alarm, the applicable local fire company, the Town of Ulster Police Department, and/or Ulster County 911, shall file a report of the same with the Town of Ulster Building Department and/or applicable local fire company.

B. False alarms and/or nuisance calls.

(1) A “false alarm” or “nuisance alarm” shall be defined as follows:

- (a) The activation of a burglar and/or a robbery alarm for the purposes of summoning the police at a time when no burglary or robbery is being committed or attempted on the premises or no emergency exists; or
- (b) The activation of a fire alarm caused by defective or improperly maintained equipment for the purpose of summoning the fire department at a time when no fire or emergency is occurring.

(2) The “Alarm Appeal Board” shall be defined as follows:

- (a) There shall be in the Town of Ulster an Alarm Appeal Board which shall have the powers and duties granted to it under this article. The Alarm Appeal Board shall consist of the Town of Ulster Town Board.
- (3) Each owner of an alarm system shall report any unresolved and/or unrepaired “Trouble” signals to the Town of Ulster Building Department within eight (8) hours.
- (4) All alarm systems which employ an audible signal or flashing light beacon designed to signal persons outside the premises must be deactivated and silenced automatically within fifteen (15) minutes.

C. Civil Penalties

(1) An owner of an alarm system shall be liable for the following civil penalties for prohibited false alarms during the calendar year:

First and Second false alarm	Warning Letter Only
Third False Alarm	\$250.00
Fourth False Alarm	\$400.00
Fifth false alarm	\$600.00
Sixth or more false alarms	\$800.00

(2) Any person who fails to register his or her alarm system or whose alarm system violates the standards set forth in this chapter hereof, shall be liable for a civil penalty of \$250.00.

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D. Hearing Provisions

- (1) Whenever the Town of Ulster intends to impose a civil penalty for a violation of this Law, the Town of Ulster Building Department shall give at least twenty (20) days advance written notice to the alleged violator by first class mail. The notice shall state the basis for the civil penalty and advise the alleged violator of the right to request in writing a hearing by the Alarm Appeal Board within such twenty (20) day period. The request shall specify the reasons why a civil penalty should not be imposed.
- (2) Written notice of the time and place of the Alarm Appeal Board hearing shall be sent to the alleged violator by first class mail at least twenty (20) days prior to the date set for the hearing. An Alarm Appeal Board hearing shall be scheduled within at least sixty (60) days of a request for such hearing.
- (3) At the Alarm Appeal Board hearing, the alleged violator shall have the right to confront and examine witnesses and present evidence on his own behalf. After the hearing, the Alarm Appeal Board shall issue a written decision setting forth its findings and determinations.
- (4) The decision of the Alarm Appeal Board shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.
- (5) The Alarm Appeals Board, subsequent to any appeal having been finally determined, may bring an action to recover the civil penalty provided in this article.
- (6) In the event the alleged violator fails to request a hearing, the Town of Ulster shall have the right to impose the civil penalty prescribed for the violation.
- (7) The Town of Ulster shall not impose a civil penalty more than two (2) years after the occurrence of the acts forming the basis of the violation.

E. Civil penalties and/or injunctive relief may also be recovered in any action or proceeding brought by the Town Attorney, working with the Town of Ulster Building Department, in any court of competent jurisdiction.

§ 54-18. Fees

All installation, connection, maintenance and monitoring fees shall be at the expense of the owner/occupant.

§ 54-19. Records

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- A. All information on applications pertaining to false alarms shall not be deemed confidential insofar as it is necessary to conduct any litigation under this chapter or to be provided to appropriate officials for fire protection purposes.
- B. The Town of Ulster Building Department shall retain all records regarding applications, false alarm reports, investigations and other data necessary for compliance with this chapter.

ARTICLE IV - BUILDING CONSTRUCTION

§ 54-20. Fire Alarm Systems in Building Construction

- A. All commercial buildings shall contain smoke and heat detection devices in accordance with the Fire Code of New York State. As per the Fire Code of New York State, sprinklers may only replace heat detectors, not smoke detectors.
- B. Prior to issuance of a building permit, each builder shall submit three sets of proposed plans to the Town of Ulster Building Department depicting the fire alarm system prepared by a New York State licensed design professional (engineer, architect, NICET III or higher, or fire protection engineer).
- C. All multiple-family dwellings shall have smoke detectors as follows:
 - (1) Smoke detectors shall be intelligent, addressable, and be part of the primary system.
 - (2) One smoke detector for each common hallways and/or corridors, spacing to meet or exceed NFPA 72 and New York State Building Code.
 - (3) In storage areas exceeding 50 square feet, a minimum of one smoke detector and as many as may be necessary consistent with the manufacturer's specifications and recommended area of coverage.
 - (4) Smoke detectors shall be connected to a central station monitoring facility that is "listed" by Underwriters Laboratory (UL), or any other nationally recognized testing agency, and approved by the Town of Ulster Building Department.

- (5) Heat detectors shall be installed in boiler rooms, based on spacing requirements of NFPA 72.
- D. All buildings used for commercial purposes with an occupancy of fifty (50) or more shall have smoke detectors connected to a UL listed central station monitoring facility as defined by NFPA 72 and approved by the Town of Ulster Building Department. An automatic fire alarm system is required. This system shall consist of, but not be limited to, pull stations, smoke or heat detectors, elevator recalls, notification devices (horn/strobe).
- E. Plans shall be submitted and a fire alarm system shall be installed for any existing building, structure or occupancy, except a one- or two-family residence, which does not contain a fire alarm system conforming to NFPA 72, and the Fire Code of New York State standards where the total floor area is increased by 50% or more or for which the cost of any alterations, additions or repairs made within a six-month period exceeds 50% of the cost of replacement of the building at the beginning of that six-month period or where the use is converted to an A occupancy, as defined by the Building Code of New York State and the Fire Code of New York State.
- F. No certificate of occupancy shall be issued for occupancy or the use of any building, structure or portion thereof required to have a fire alarm system unless such system is installed, inspected, tested and approved in accordance with the Fire Code of New York State, NFPA the Ulster Town Code standards, and submitted and approved plans.

§ 54-21. Severability

In any section, subsection, sentence, clause, phrase, or work of this Local Law is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance.

§ 54-22. When effective

This Local Law shall take effect upon filing in the office of the New York State Secretary of State in accordance with

MOTION: Councilman Morrow

SECOND: Councilwoman Hendrick

Town Councilman Brink

- Aye

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Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution Authorizing the Execution and Submission of a Petition to the New York State Department of State, Codes Division, Authorizing More Restrictive Local Standards

RESOLUTION OF TOWN BOARD OF THE TOWN OF ULSTER AUTHORIZING THE EXECUTION AND SUBMISSION OF A PETITION TO THE NEW YORK STATE DEPARTMENT OF STATE, CODES DIVISION, AUTHORIZING MORE RESTRICTIVE LOCAL STANDARDS

WHEREAS, the Town Board of the Town of Ulster (“Town Board”) adopted Local Law No. 7 of 2012 which amended Chapter 54 of the Town of Ulster Town Code [Fire Alarms and Burglar Alarms]; and

WHEREAS, portions of Local Law No. 7 of 2012 amending Chapter 54 of the Town of Ulster Town Code are more restrictive than the New York State Uniform Fire Prevention and Building Code regarding the use of fire alarm systems in building construction, specifically mandating, *inter alia*, that in multiple-family dwellings, (1) smoke detectors shall be intelligent, addressable, and be part of the primary system; (2) one smoke detector for each common hallways and/or corridors, spacing to meet or exceed NFPA 72; (3) in storage areas exceeding 50 square feet, a minimum of one smoke detector and as many as may be necessary consistent with the manufacturer's specifications and recommended area of coverage; (4) smoke detectors shall be connected to a central station monitoring facility that is “listed” by Underwriters Laboratory (UL), or any other nationally recognized testing agency, and approved by the Town of Ulster Building Department and (5) heat detectors shall be installed in boiler rooms, based on spacing requirements of NFPA 72; and

WHEREAS, the legislative intent behind said Local Law was to protect the safety and public welfare of town residents, specifically those residents residing in senior citizen housing or other multiple-family dwellings, by mandating a state-of-the-art, integrated fire alarm system in all new multiple-family dwellings; and

WHEREAS, the Town of Ulster retained the services of a fire alarm system consultant in 2010 who recommended that the Town of Ulster revise its Town Code in order to be able to legally require more restrictive standards in fire alarm systems than the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, the Town conducted a public hearing on the 20th day of September, 2012, pursuant to advance public notice duly published in the official newspaper of the Town, for the

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purposes of obtaining citizens' views prior to the adoption of Local Law No. 7 of 2012; and now, therefore,

BE IT RESOLVED, that the Town Board of the Town of Ulster hereby authorizes the Town Supervisor and the Town Attorney to execute and file a Petition to the New York State Department of State, Codes Division, with the required supporting documents, seeking to authorize the more restrictive local standards as codified in Chapter 54 of the Town Code of the Town of Ulster; and be it further

RESOLVED that Town Supervisor and Town Attorney are authorized to provide any such additional information as may be required to complete the Petition process; and be it further

RESOLVED, this Resolution shall become effective when adopted.

MOTION: Councilwoman Hendrick

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Resolution adopting Local Law No. of 2012 : Sub division plat Maps – Signatures by Planning Board Secretary

A Resolution Approving a Local Law Providing for the Adoption of a New Section 161-16 of Chapter 161 of the Town Code

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Ulster for a public hearing to be held by said Governing Body on November 15, 2012 at the Town of Ulster Town Hall at 7:30 p.m. to hear all interested parties on a proposed Local Law entitled "A local law providing for the adoption of a new Chapter 54 of the Town Code", and

WHEREAS, notice of said public hearing was duly advertised in the Daily Freeman, the official newspaper of said Town, and

WHEREAS, said public hearing was duly held on November 15, 2012 at the Town of Ulster Town Hall at 7:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

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WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of the Town of Ulster that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and

WHEREAS, the Town Board of the Town of Ulster, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. 8 of 2012 entitled **A Local Law Providing for the Adoption of a New Section 161-16 of Chapter 161 of the Town Code**, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk of the Town of Ulster be and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

TOWN OF ULSTER
Local Law No. 8 of 2012

A Local Law Providing for the Adoption of a New Section 161-16 of Chapter 161 of the Town Code

Be it enacted by the Town Board of the Town of Ulster as follows:

Section I. A new Section 161-16 of Chapter 161 of the Code of the Town of Ulster is hereby enacted as follows:

§ 161-16. Filing of Approved Subdivision Map

- A. Signing and filing. Upon completion of the requirements of § 161-14 and § 161-15, the plat shall be signed by the Chairman of the Planning Board as directed by resolution of the Planning Board at a public meeting. In the absence of the Chairman, the Vice Chairman may sign. The plat may be filed by the subdivider in the Office of the Ulster County Clerk. Any subdivision plat not so filed or recorded within sixty-two (62) days of the date upon which such plat is approved or considered approved by reasons of the failure of the Planning Board to act, shall become null and void.
- B. Plat void if revised after approval. No changes, erasures, modifications or revisions shall be made in any plat after approval has been given by the Planning Board and endorsed in writing on the plat, unless the said plat is first resubmitted to the Planning Board, and such Board approves any modifications. In the event that any such plat is recorded without complying with this requirement, the same

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shall be considered null and void, and the Planning Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

Section II. Severability

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section III. Effective Date

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York State Secretary of State.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion authorizing the Supervisor to sign the Agreement between the Ulster Sewer District and the Ulster Water District for the sharing of an Emergency Generator located at the WWTP on Dogwood Street

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Adoption of Standard Workday Resolution for Supervisor

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BE IT RESOLVED, that the Town of Ulster / Location code 0765 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Hrs/Day	Term	Days/Month
Supervisor	James E. Quigley III	7	1/1/2012-12/31/2013	32.23

MOTION: Councilwoman Hendrick

SECOND: Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Discussion on ShopRite Plaza – request by owner for Site Plan Extension

This item was removed from the agenda

K-9 Dog Replacement

Councilman Kitchen moved to authorize the Police Chief to procure a replacement K-9 dog.
2nd by Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Approve Agreement for an Employee Assistance Program between Emergency One and the Town Highway Department and Police Department

Councilman Brink moved to authorize the Police Chief Anthony Cruise and Highway Superintendent Frank Petramale to enter into an agreement with Emergency One for an Employee Assistance Program for 2013
2nd by Councilman Morrow

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Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Forestry Grant Approvals

**Authorizing Resolution for 2011-2012 Urban and Community Forestry Grant Round 11
Contract No. : T304826**

That James E. Quigley 3rd, as Town Supervisor of Town of Ulster or such person's successor, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$6,000.00 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this Municipality for Town of Ulster.

MOTION: Councilwoman Hendrick

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

**Authorizing Resolution for 2011-2012 Urban and Community Forestry Grant Round 11
Contract No. : T304849**

That James E. Quigley 3rd, as Town Supervisor of Town of Ulster or such person's successor, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$1,000.00 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this Municipality for Town of Ulster.

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye

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Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Motion to Authorize the Town Supervisor to Sign MOA for Trevor M. Barringer's Bank Time

Councilwoman Hendrick motion to authorize the Town Supervisor to sign MOA for Trevor M. Barringer's Bank Time

2nd by Councilman Kitchen

Town Councilman Brink	- Aye
Town Councilman Kitchen	- Aye
Town Councilwoman Hendrick	- Aye
Town Councilman Morrow	- Aye
Supervisor Quigley	- Aye

CARRIED

Supervisor Quigley announced that 2013 Organizational Meeting will be held on January 3, 2013 at 7:00 PM and will be part of the regular town Board Workshop.

Councilman Kitchen motioned to adjourn the meeting at 7:37 PM

2nd by Councilman Hendrick

All Ayes

Respectfully Submitted by
Jason Cosenza, RMC FHCO
Ulster Town Clerk